CVILLE PLANS TOGETHER

Zoning 101: What is Zoning?

February 2022 [Updated June 2022]

What is Zoning?

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"Zoning" refers to the regulations that govern the **development of buildings** and **use of land.**

- It ensures that we construct buildings and use land in ways that promote positive outcomes for the community.
- It implements the Comprehensive Plan and other adopted documents.

Comp. Plan and Zoning Relationship

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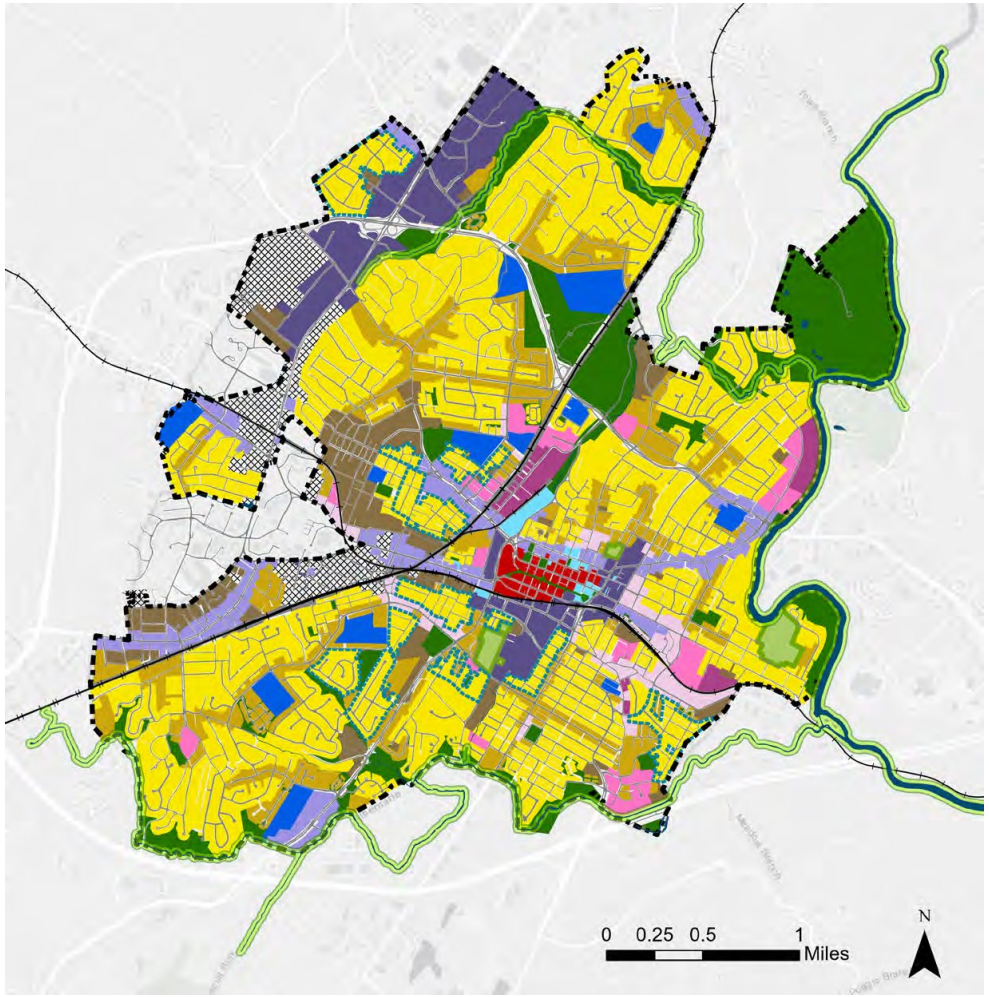
The adopted **Comprehensive Plan and Future Land Use Map, Affordable Housing Plan, and Small Area Plans** lay out the long-term vision and policy goals for the city.

Through regulation of growth and development, the **Zoning Ordinance** is one of the **primary tools to implement** the visions and goals of the plans.

To Learn More → See the **Land Use, Urban Form, and Historic & Cultural Preservation Chapter** in the Comprehensive Plan, particularly **Goal 1, starting on page 32.**



2021 Future Land Use Map

Central Elements of Zoning

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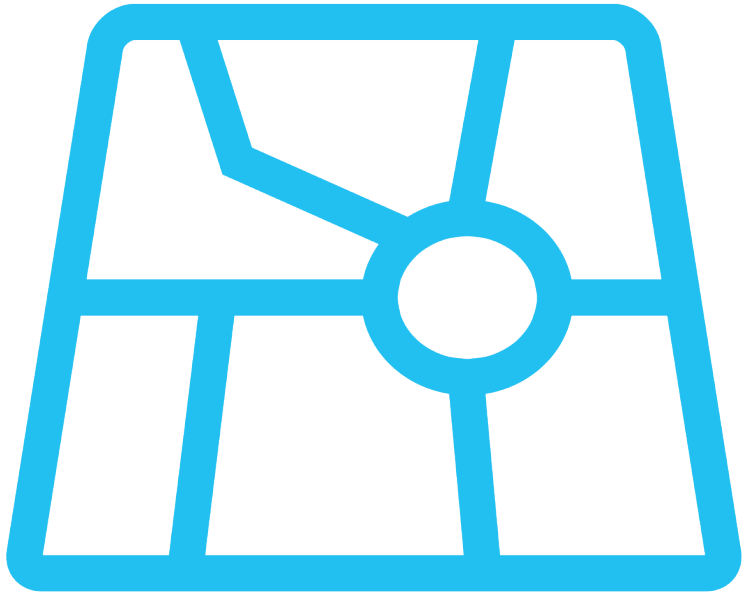
- **Zoning Map**
- **Zoning Ordinance**
  - Districts and uses
  - Development standards
  - Administration



Central Elements of Zoning

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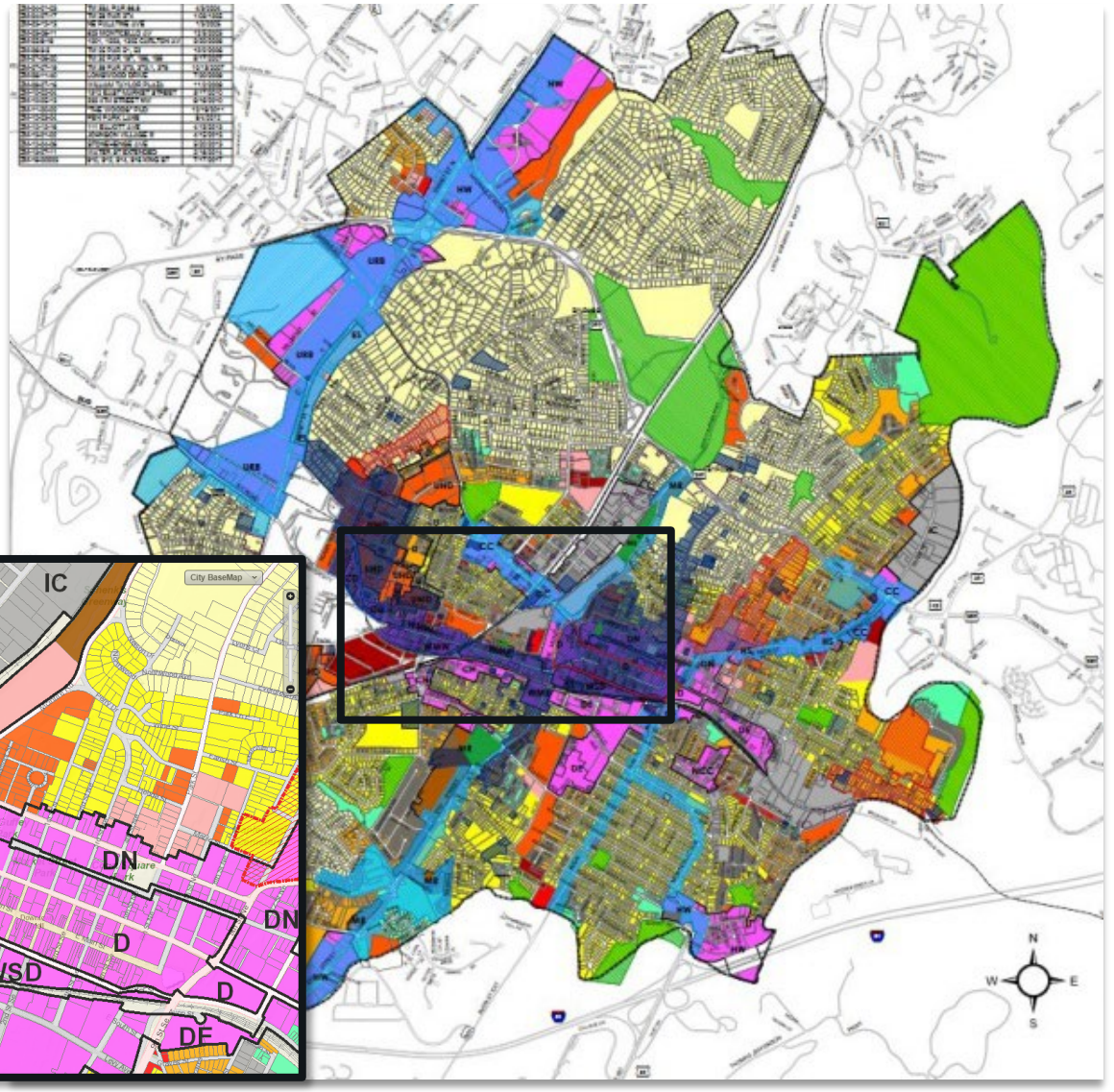
The Zoning Map divides the city into districts and indicates the parcels that fall within each district. The district rules and regulations determine the urban form and land uses allowed on each parcel.

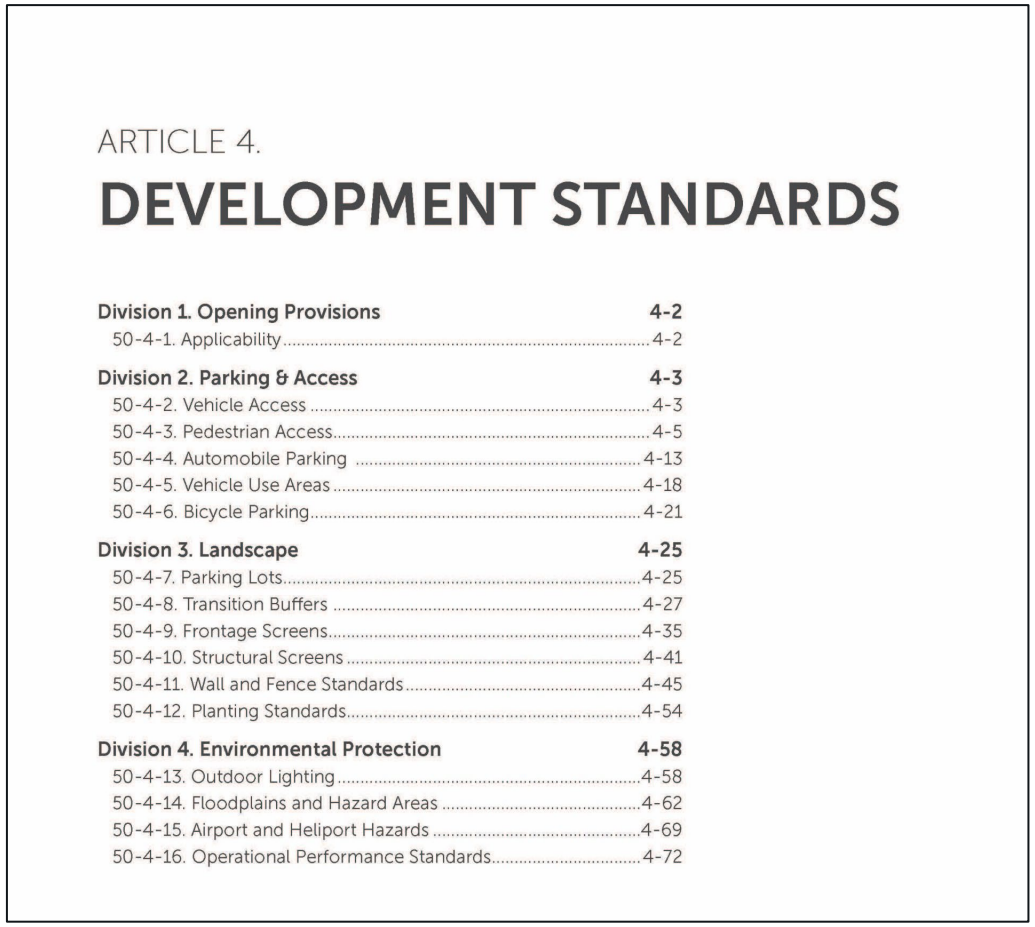


Central Elements of Zoning

CVILLE PLANS TOGETHER

- Zoning Map
- **Zoning Ordinance**
  - –Districts and uses
  - –Development standards
  - –Administration

The Zoning Ordinance is the set of rules and regulations that govern the built form and use of private land. This includes rules for lot size and configuration, public realm and site standards, building mass and scale, and permitted uses, as well as spelling out the processes for the city to administer the Zoning Ordinance.



ARTICLE 4.

DEVELOPMENT STANDARDS

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Example only

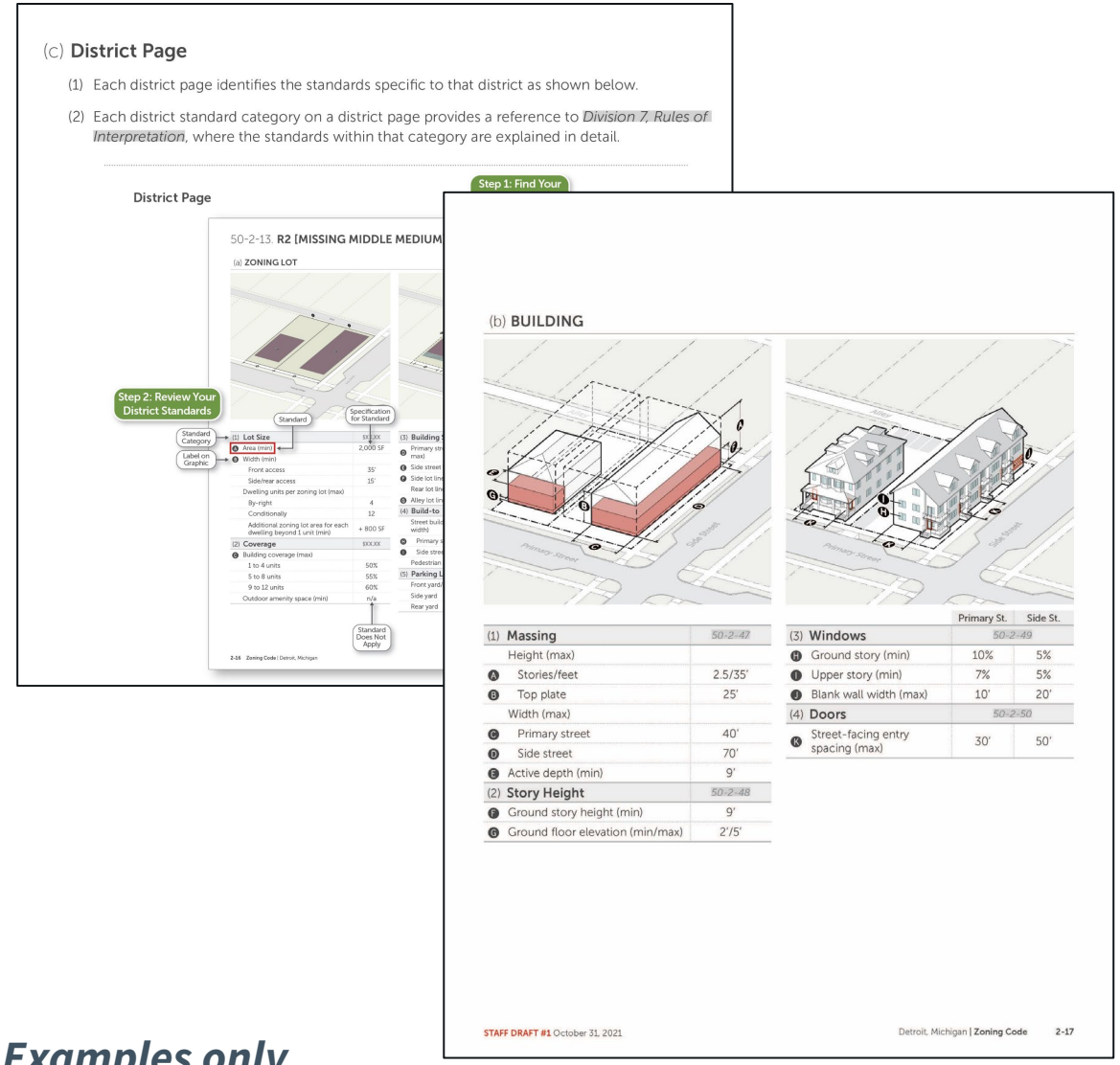
Central Elements of Zoning

CVILLE PLANS TOGETHER

- Zoning Map
- Zoning Ordinance
  - **–Districts and uses**
  - –Development standards
  - –Administration

The districts contain required standards for the design of sites and buildings, as well as a list of the uses allowed in each district.

Districts are typically grouped and organized into divisions such as residential, mixed-use, industrial, and special districts. Each division can contain any number of districts with different rules and regulations.


(c) District Page
(1) Each district page identifies the standards specific to that district as shown below.
(2) Each district standard category on a district page provides a reference to Division 7, Rules of Interpretation, where the standards within that category are explained in detail.
District Page
Step 1: Find Your
Step 2: Review Your District Standards
50-2-13. R2 [MISSING MIDDLE MEDIUM
(a) ZONING LOT
(b) BUILDING
(1) Massing 50-2-47
Height (max)
Stories/feet 2.5/35'
Top plate 25'
Width (max)
Primary street 40'
Side street 70'
Active depth (min) 9'
(2) Story Height 50-2-48
Ground story height (min) 9'
Ground floor elevation (min/max) 2'/5'
(3) Windows 50-2-49
Primary St. Side St.
Ground story (min) 10% 5%
Upper story (min) 7% 5%
Blank wall width (max) 10' 20'
(4) Doors 50-2-50
Street-facing entry spacing (max) 30' 50'
STAFF DRAFT #1 October 31, 2021
Detroit, Michigan | Zoning Code 2-17

Examples only

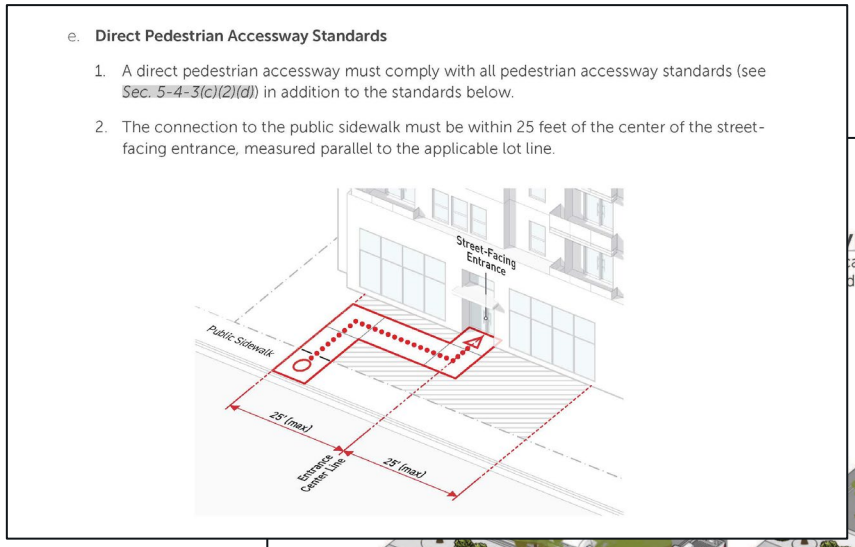
Central Elements of Zoning

CVILLE PLANS TOGETHER

- Zoning Map
- Zoning Ordinance
  - –Districts and uses
  - –**Development standards**
  - –Administration

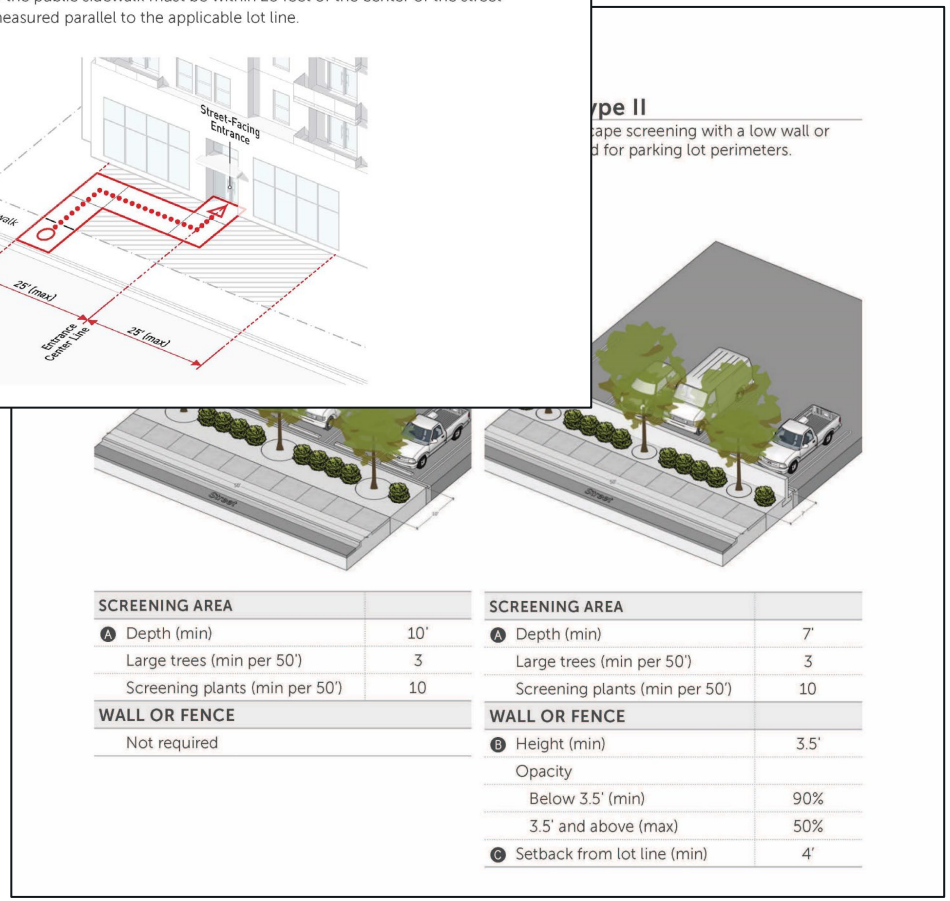
The Development Standards are rules that generally apply to all development in all districts.

These standards set requirements for things like vehicle and pedestrian access, automobile and bicycle parking, parking lot design, planting standards, transitional buffers and screening, and outdoor site lighting.



e. **Direct Pedestrian Accessway Standards**

1. A direct pedestrian accessway must comply with all pedestrian accessway standards (see *Sec. 5-4-3(c)(2)(d)*) in addition to the standards below.
2. The connection to the public sidewalk must be within 25 feet of the center of the street-facing entrance, measured parallel to the applicable lot line.



ype II
ape screening with a low wall or
d for parking lot perimeters.

SCREENING AREA	
A Depth (min)	10'
Large trees (min per 50')	3
Screening plants (min per 50')	10
WALL OR FENCE	
Not required	

SCREENING AREA	
A Depth (min)	7'
Large trees (min per 50')	3
Screening plants (min per 50')	10
WALL OR FENCE	
B Height (min)	3.5'
Opacity	
Below 3.5' (min)	90%
3.5' and above (max)	50%
C Setback from lot line (min)	4'

Examples only

Central Elements of Zoning

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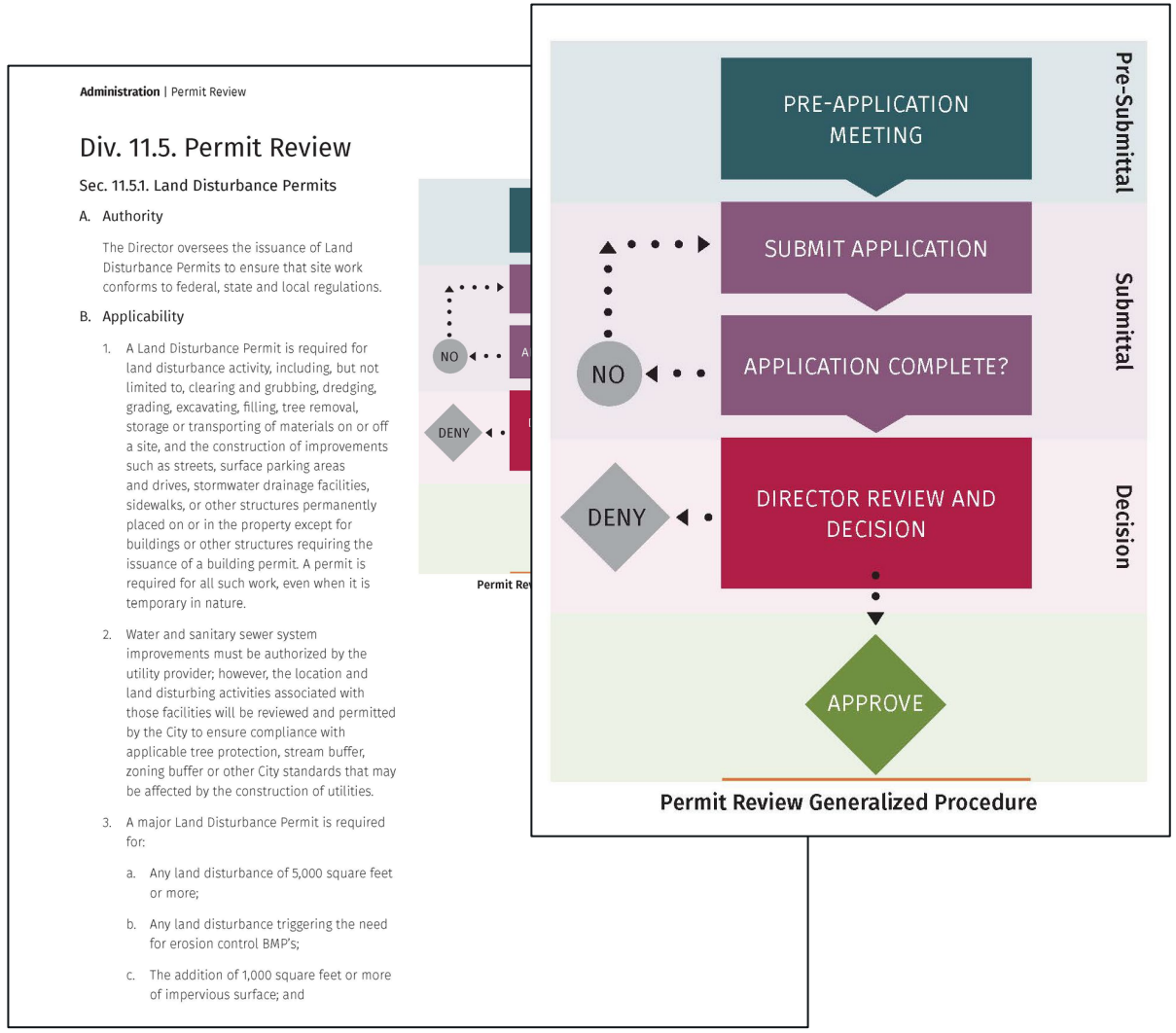
  - **–Administration**

Administration lays out the processes for applying the rules in the ordinance.

This section typically includes common review procedures for zoning decisions such as site plan review, text amendments, rezonings, or variances, and provides rules for enforcement of the code.



Administration | Permit Review

Div. 11.5. Permit Review

Sec. 11.5.1. Land Disturbance Permits

A. Authority

The Director oversees the issuance of Land Disturbance Permits to ensure that site work conforms to federal, state and local regulations.

B. Applicability

1. A Land Disturbance Permit is required for land disturbance activity, including, but not limited to, clearing and grubbing, dredging, grading, excavating, filling, tree removal, storage or transporting of materials on or off a site, and the construction of improvements such as streets, surface parking areas and drives, stormwater drainage facilities, sidewalks, or other structures permanently placed on or in the property except for buildings or other structures requiring the issuance of a building permit. A permit is required for all such work, even when it is temporary in nature.
2. Water and sanitary sewer system improvements must be authorized by the utility provider; however, the location and land disturbing activities associated with those facilities will be reviewed and permitted by the City to ensure compliance with applicable tree protection, stream buffer, zoning buffer or other City standards that may be affected by the construction of utilities.
3. A major Land Disturbance Permit is required for:
   a. Any land disturbance of 5,000 square feet or more;
   b. Any land disturbance triggering the need for erosion control BMP's;
   c. The addition of 1,000 square feet or more of impervious surface; and

Permit Review Generalized Procedure

Example only

Quick History of Charlottesville Zoning

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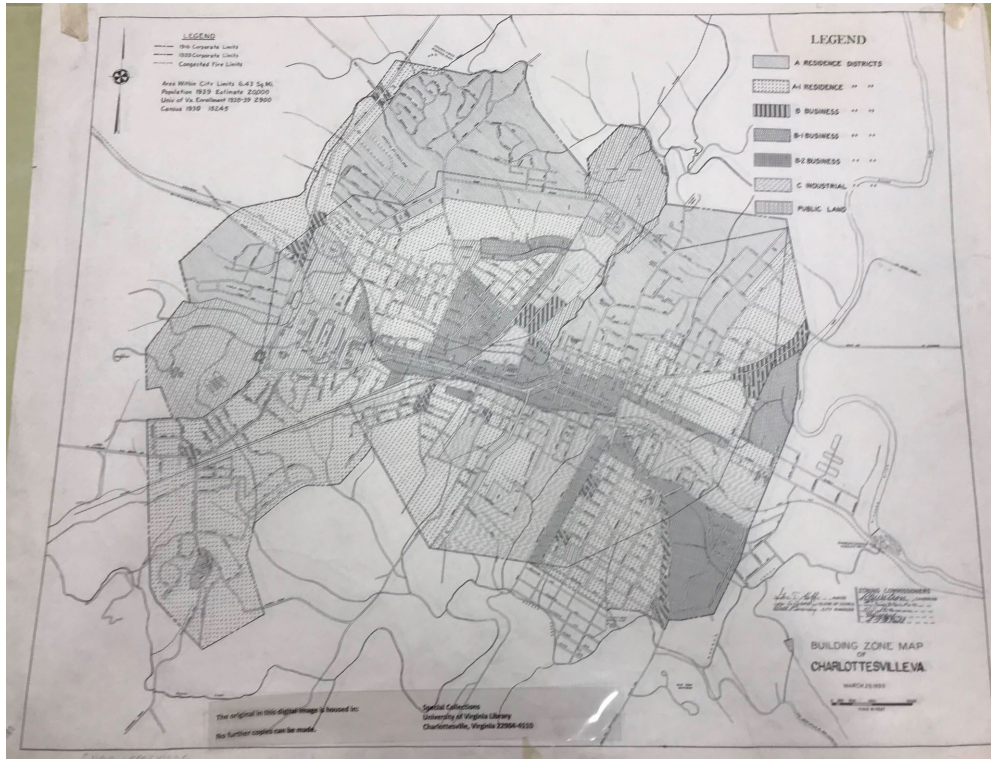
- **1929: The first formal zoning code is approved.**
  - Under community pressure, it is amended to allow two units per property instead of one as the lowest density option.
- **1991: A new zoning map for the city is released.**
  - Broadened single-family zoning throughout the city, including undeveloped areas, leading to conversations around affordability and exclusion.
- **2003: Current zoning code adopted.**
  - Changes include increased mixed use zoning, increased by-right density in many locations, Entrance Corridors, and University districts.
- **2022: Zoning ordinance rewrite begins.**



1929 Zoning Map (Source: Lyle Solla-Yates, via Twitter)

What does it mean to "rewrite" zoning?

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All pieces of the Zoning Ordinance will be examined.

The goals are to ensure that:

- 1: The Zoning Ordinance supports the Comprehensive Plan (including the Future Land Use Map) and other adopted plans, such as Small Area Plans and the Affordable Housing Plan.
  - This will include an examination of affordability-supporting mechanisms such as **Inclusionary Zoning** (where extra height or density is allowed in exchange for affordability at a specified level).
- 2: We mitigate the flaws and barriers to development previously identified by City planning staff and elected and appointed officials.
- 3: The new zoning will be easier to read and apply for everyone involved.

Some sections of the Zoning Ordinance will be completely re-written while other sections may adapt or utilize text from the current Zoning Ordinance.

Community Priorities

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Through the development of the Comprehensive Plan, we heard about many community priorities that will be considered throughout the zoning process:

- **Key Priority: Affordability**
- Mitigation of displacement
- Access to community amenities – parks, schools, neighborhood retail
- Walkability, connectivity, and access
- Environmental health and sustainability – tree canopy, stormwater, and more
- Building scale, placement, and transitions in height
- Utilities and infrastructure, including transportation safety

To Learn More → **See Comprehensive Plan Goal 1, Strategies 1.1-1.7**

We will learn more as we work through the zoning process with the community.

Key Priority: Affordability

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The zoning ordinance will use several strategies in partnership with other Affordable Housing Plan strategies to support the increased availability of housing at all income levels.

- **Inclusionary zoning:**
  - As of mid-2020, Charlottesville is allowed to adopt an affordable dwelling unit ordinance as part of zoning. This allows the City to use Inclusionary Zoning or other mechanisms to support the provision of below-market rate homes in new construction.→**See next slide for more details**
- **Allowing a greater variety of housing:**
  - Changes in zoning can allow for more housing types in neighborhoods that currently only allow single-family residences.
  - Changes to minimum lot sizes and other restrictions can also support development of smaller and more naturally-affordable housing options.

What is Inclusionary Zoning (IZ)?

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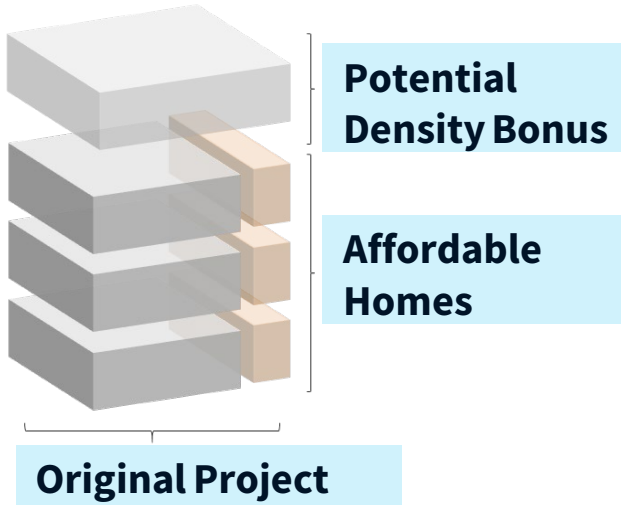
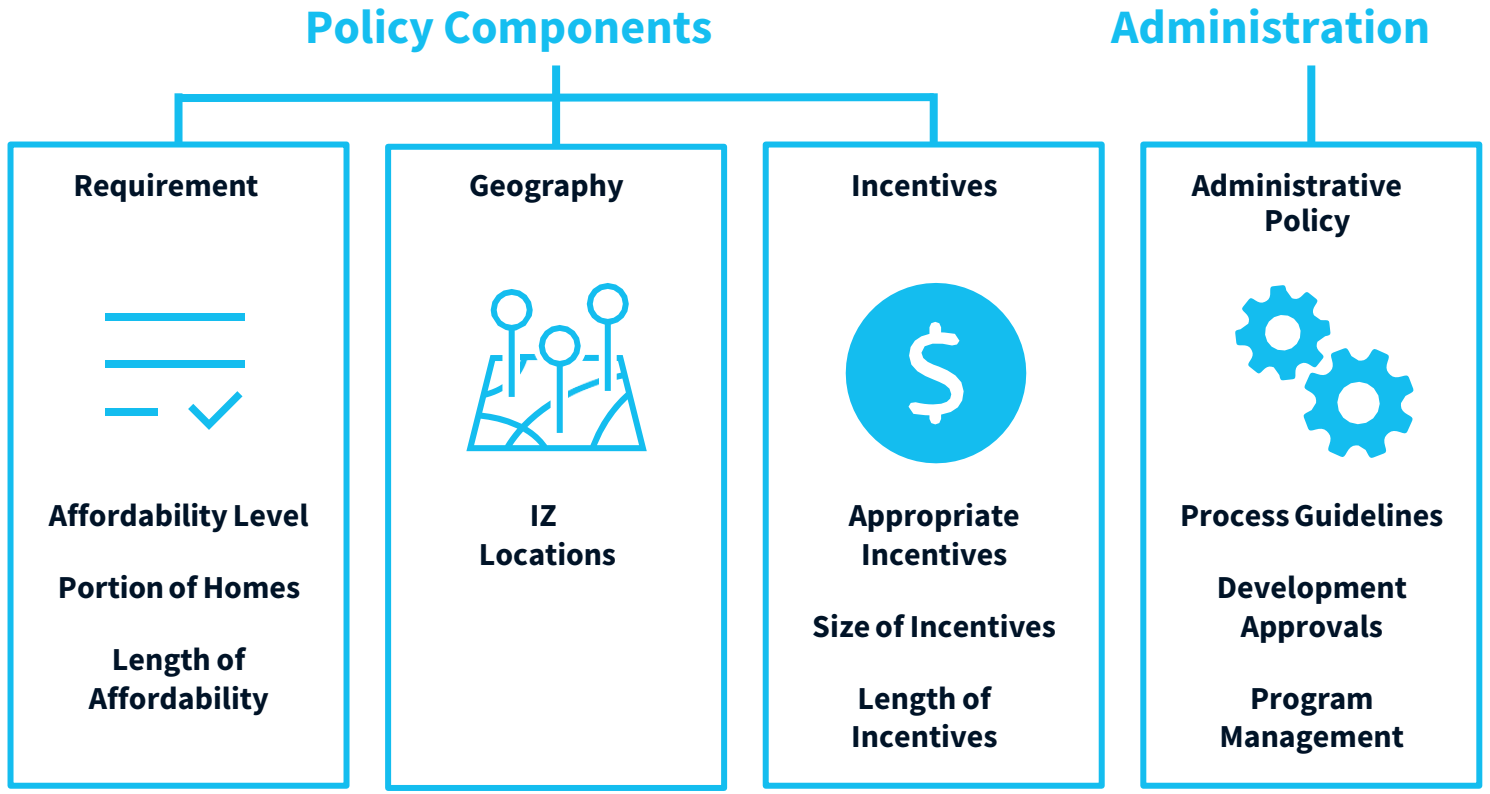
An IZ policy creates affordable homes within new market rate development.



The design of an inclusionary zoning policy must consider the affordability of homes required, appropriate incentives to offset developer costs, and administrative needs and processes.

- Inclusionary zoning policies **incentivize** developers to include affordable homes in market-rate developments, often in exchange for incentives such as bonus density or tax abatement.
- Rents for affordable homes are set relative to the **Area Median Income (AMI)**, the household income for the median household in a region.



Source: Charlottesville Affordable Housing Plan

Timeline

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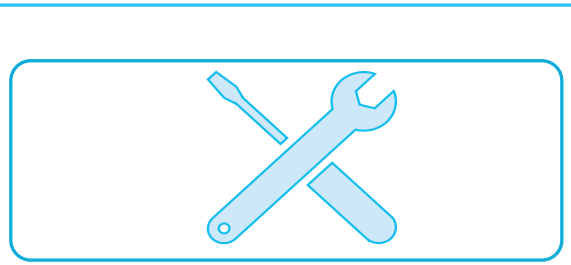

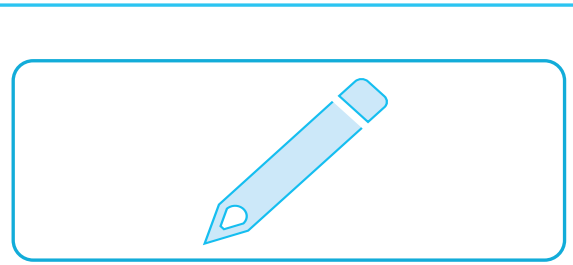

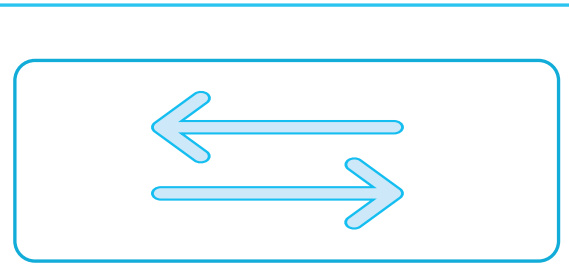

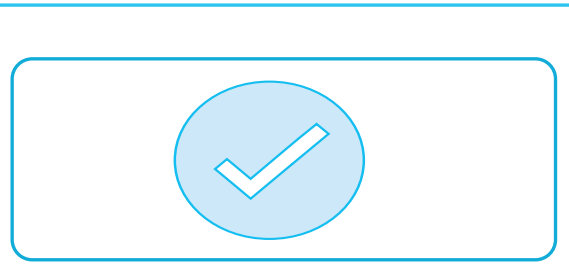

Winter-Spring 2022
Overview of zoning ordinance changes that are needed, and the proposed approach to the updates

Spring-Fall 2022
Draft zoning ordinance components

Fall 2022-Winter 2023
Review and revise consolidated draft of zoning ordinance

Winter-Spring 2023
Hearings and adoption of updated zoning ordinance

Next major community input point

Community outreach and input milestones (June-August 2022, Approx. Nov-Dec 2022, Approx. April-May 2023).